Public Notice

US Army Corps of Engineers.

Nashville District

Public Notice No. **08-25** Date: July 25, 2008

Application No. **2007-01488 and 2007-02202**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
and
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Waterline and Sewerline Construction on Piney Creek, French Mill Creek, and Various Tributaries and Wetlands, in Athens, Limestone County, Alabama

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act** (CWA) and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act.**

APPLICANT: City of Athens Utilities
1806 Wilkinson Street
Athens, Alabama 35611

LOCATION and DESCRIPTION: Crossings of Wetlands, Piney Creek, French Mill Creek, and Unnamed Tributaries, tributaries to the Tennessee River Mile 310.7L, in Limestone County, Alabama (Athens Quad):

File No. 2007-01488: The proposed work would consist of constructing a new 8" and 12" water main pipeline crossing streams in six locations.
File No. 2007-02202: The proposed work would consist of constructing a new 8" through 24" sewer main pipeline crossing streams in nine locations.

See the attached plans and location map for the exact locations of each crossing:

Site 1.1 - Unnamed Tributary to Piney Creek Mile 13.5R (lat 34-45-8.5, lon 86-54-31.6). The proposed work at this site involves a 24" sewerline and an 8" waterline crossing. A

temporary construction access would be located adjacent to the crossing.

Site 1.2 - Unnamed Tributary to Piney Creek Mile 13.5R (lat 34-45-8.8, lon 86-54-29.3). The proposed work consist of a 24" sewerline and a 8" waterline crossing. A temporary construction access adjacent to the crossing would be required at this location.

Site 1.3 - Bypass Channel to Piney Creek Mile 13.6 (lat 34-45-16.9, lon 86-54-21.6). The proposed work at this site involves construction of a 24" sewerline and an 8" waterline crossing.

Site 1.4 - Piney Creek Mile 14.2 (lat 34-45-28.6, lon 86-54-3.3). The work at this site would involve a 24" sewerline and an 8" waterline crossing. This site would also require a temporary construction access adjacent to the crossing.

Site 1.5 - French Mill Creek Mile 0.9 (lat 34-45-38.7, lon 86-53-9.6). The work at this site would involve construction of 12" sewerline.

Site 1.6 - French Mill Creek Mile 1.3 (lat 34-45-50, lon 86-52-55.8). The work at this site would involve an 8" sewerline.

Site 2.1 - Unnamed Tributary to French Mill Creek Mile 0.5L (lat 34-45-24.9, lon 86-53-35.1). The proposed crossing at this site would involve a 10" sewerline.

Site 3.1 - Piney Creek Mile 15.0 (lat 34-45-51.2, lon 86-54-36). The proposed work at this site involves an 18" sewerline crossing.

Site 3.2 - Piney Creek Mile 15.7 (lat 34-46-22.6, lon 86-54-46.5). The proposed work consists of an 16" sewerline crossing.

Site 4.1 - Piney Creek Mile 15.8 (lat 34-46-22.6, lon 86-54-40). The work at this site involves construction of a 12" water main located on the south side of the US Highway 72 bridge.

Site 4.2 - French Mill Creek Mile 1.6 (lat 34-45-56.4, lon 86-52-44.4). The work at this site involves construction of a 12" water main located on the south side of the US Highway 72 bridge.

The crossings would be constructed by open cut trench methods. The sites where both a waterline and sewerline are to be constructed, the pipes would be installed parallel to each other and concurrently to minimize impacts. The pipes would be ductile iron. Stream flow would be maintained during construction. Cofferdams would be utilized to divert flow around the work area and would consist of materials such as stone, concrete blocks, and portable water barriers (bladders). The flow diversion materials would be removed entirely after construction. The pipe would bedded and backfilled with crushed stone. The top one-foot of the trench would be backfilled with larger stone and graded back to the existing contours. The disturbed streambanks would be returned back to original contours and stabilized using riprap.

Three temporary construction access stream crossings would be required for construction. They would be constructed of a pipe (to maintain stream flow), riprap and coarse aggregate. When the temporary access crossing is no longer required, it would be removed and the stream returned to original conditions.

Six wetland crossings (W-1 through W-6) would be performed in association with the waterline and sewerline project. The total wetland acreage impacted from the pipelines would be 0.25 acres. The wetland crossings would be constructed by open cut trench method. The crossings through the wetlands would also be backfilled and graded back to the pre-construction contours.

The purpose of the project would be to provide water and sewer service to the residential and commercial developments being planned and those currently underway.

The bedding and backfill activity associated with the pipeline has previously been approved for purposes of Section 404 of the Clean Water Act under authority of a DA Nationwide Permit which became effective on March 12, 2007 [33 CFR 330, #12].

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All

factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The Alabama Historical Commission (AHC) has previously provided the applicant a letter, dated September 26, 2007, stating they have reviewed the cultural resource assessment conducted for the project. AHC stated that they agree with the survey conclusions and that no further investigations are warranted for the project. Thus, AHC concurred with the proposed project activities.

Two endangered species are known to occur in the vicinity of the stream crossings. These species are the E-Slender campeloma snail *(Campelom decampi)* and the E-Armored snail *(Marstonia pachyta/ Pyrgulopsis pachyta)*. The applicant has

prepared a Biological Assessment (BA) for the endangered species. The BA has been submitted to the U.S. Fish and Wildlife Service (USFWS) in July 2008, and requested initiation of formal consultation pursuant to Section 7(a)(2) of the Endangered Species Act.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

The state of Alabama has issued the required Water quality certification for the bedding and backfill activity associated with the pipeline under authority of a DA Nationwide Permit which became effective on March 12, 2007 [33 CFR 330, #12].

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before August 25, 2008, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson, at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Ms. Samantha Strickland, Tennessee Valley Authority, Wheeler Land Management Office, P.O. Box 1010, Muscle Shoals, Alabama 35662-1010.

If you received this notice by mail and wish to view all of the diagrams, visit our web site at: http://www.lrn.usace.army.mil/cof/notices.htm, or contact Amy Robinson at the above address or phone number.

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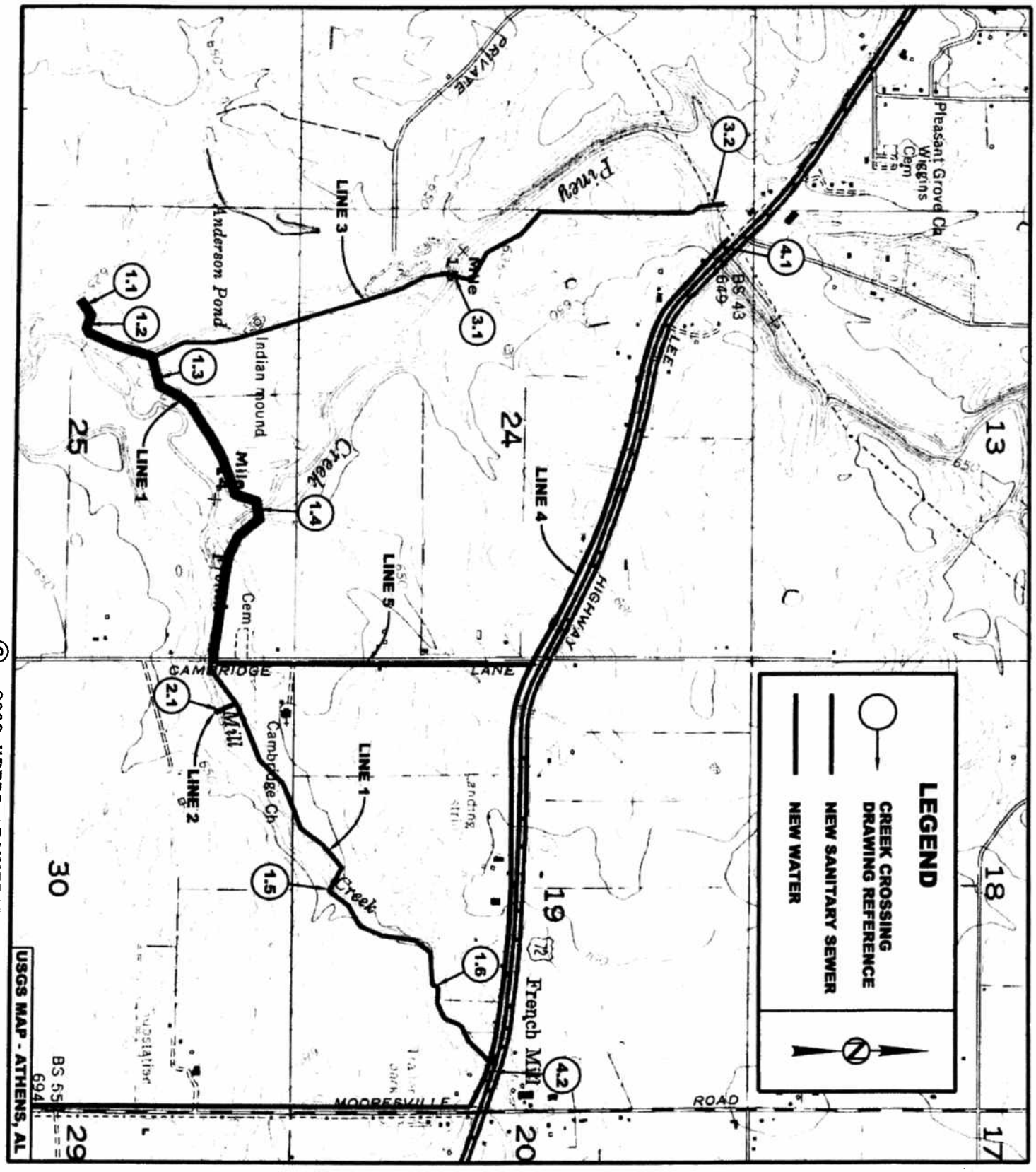

USGS MAP - ATHENS, AL

SHEET TITLE	
FIGURE 2: USGS SITE MAP	
SHEET NO	PROJECT NO 07034
S1	SCALE NO SCALE
	DATE 06-11-08

CITY OF ATHENS UTILITIES

FRENCH MILL AND PINEY CREEK INTERCEPTOR

ATHENS, AL

ARCHITECTURE KREBS ENGINEERING

FILE NOS. 2007-01488 AND 2007-02202 PN 08-25

WATERLINE CROSSING

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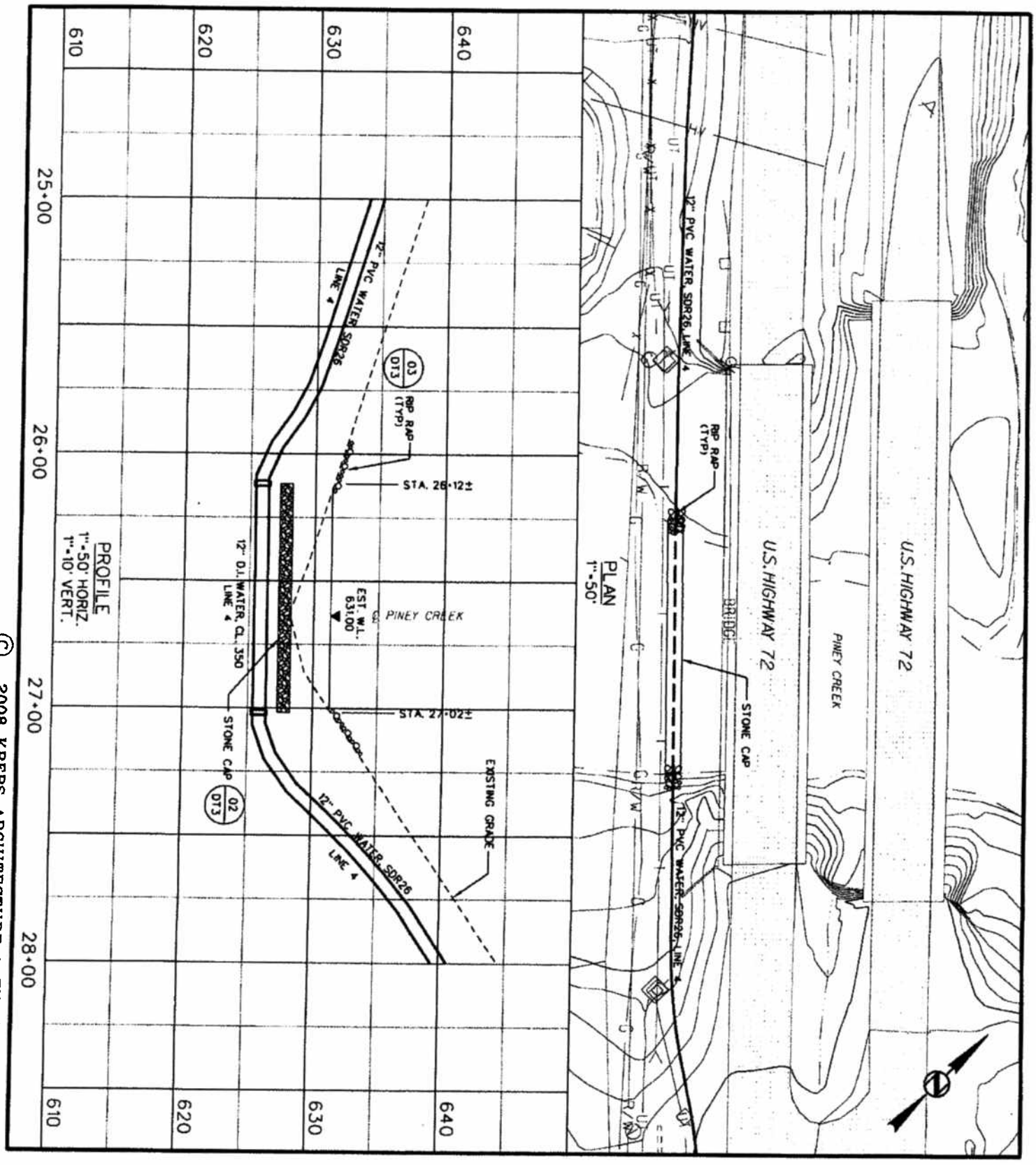

SHEET TITLE	
CREEK CROSSING	
SHEET NO. 4.1	PROJECT NO. 07033
	SCALE AS NOTED
	DATE 06-11-08

CITY OF ATHENS UTILITIES

U.S. HWY 72 WATER MAIN

ATHENS, AL

ARCHITECTURE KREBS ENGINEERING

FILE No. 2007-01488

PN 08-25

Sewerline Crossing

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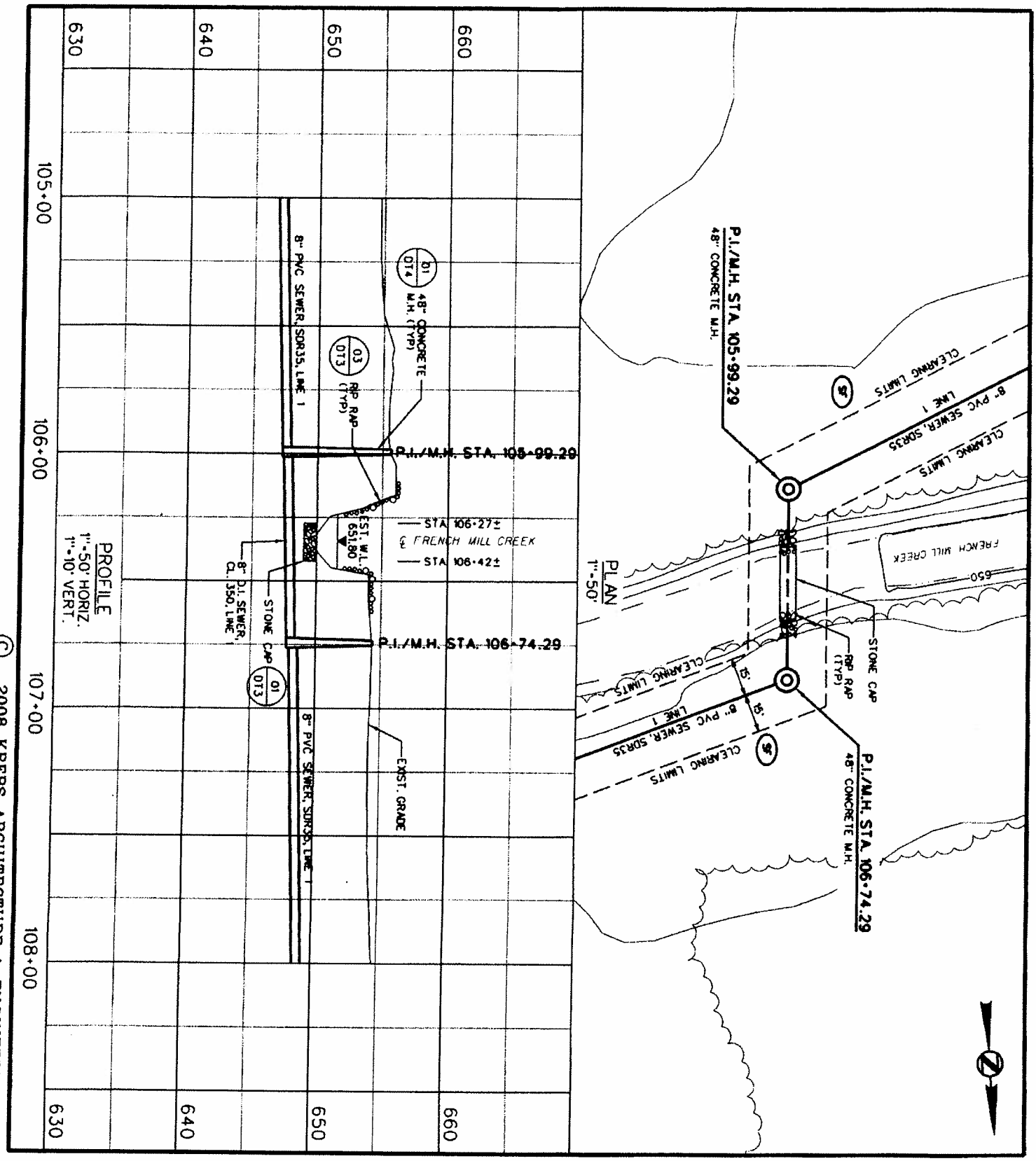


SHEET TITLE	
CREEK CROSSING	
SHEET NO. 1.6	PROJECT NO. 07034
	SCALE AS NOTED
	DATE 06-11-08

CITY OF ATHENS UTILITIES

FRENCH MILL AND PINEY CREEK INTERCEPTOR

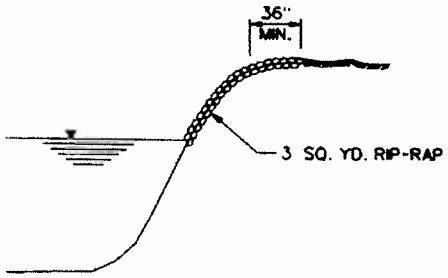
ATHENS, AL

ARCHITECTURE KREBS ENGINEERING

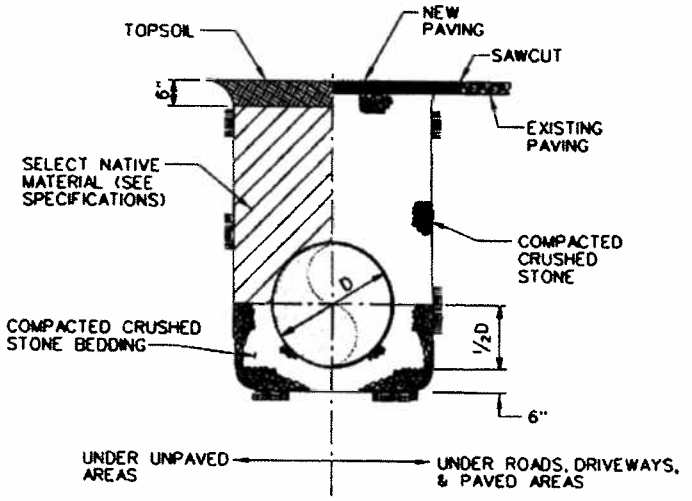
File No. 2007-0220 2

PN 08-25

NOTE:
RIP-RAP SHALL BE PLACED WITHIN LIMITS SHOWN ON DRAWINGS. ALL STONE TO BE PLACED ON WELL COMPACTED OR UNDISTURBED EARTH.

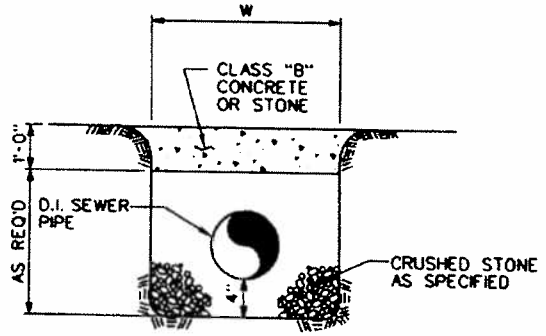


03 TYPICAL RIP-RAP DETAIL NO SCALE



NOTE: DETAIL IS TYPICAL OUTSIDE OF STREAM CROSSINGS.

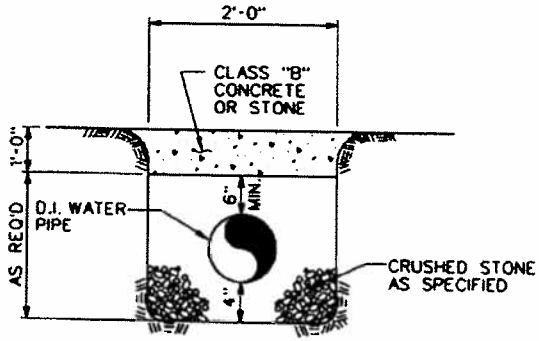
04 BEDDING AND BACKFILL NO SCALE



PIPE DIA.	W (FT)
≤ 12"	2
16" TO 24"	3

NO SCALE

01 TYPICAL SEWER STREAM CROSSING



NOTE: LENGTH OF D.I. PIPE TO MATCH LENGTH OF CAP SHOWN IN PROFILE.

NO SCALE

02 TYPICAL WATER STREAM CROSSING

ARCHITECTURE KREBS ENGINEERING

CITY OF ATHENS UTILITIES
FRENCH MILL AND PINEY CREEK INTERCEPTOR
ATHENS, AL

SHEET TITLE	DETAILS	PROJECT NO.	07034
SHEET NO.	DT3	SCALE	AS NOTED
		DATE	06-11-08

File Nos. 2007-01488 and 2007-03202 PW08-25

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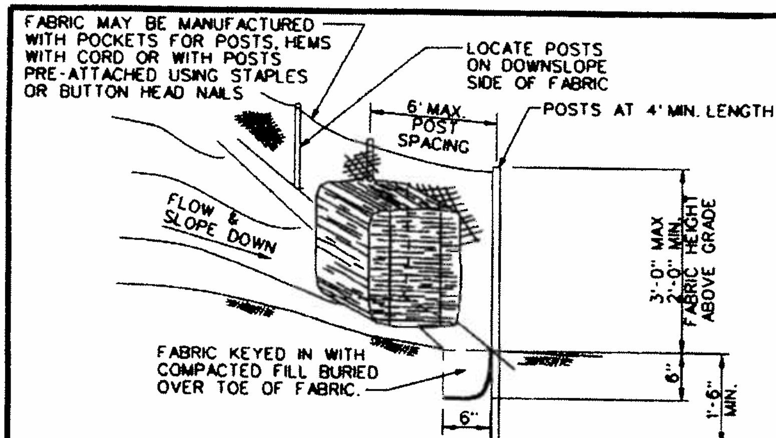
03 SILT FENCE — NO SCALE

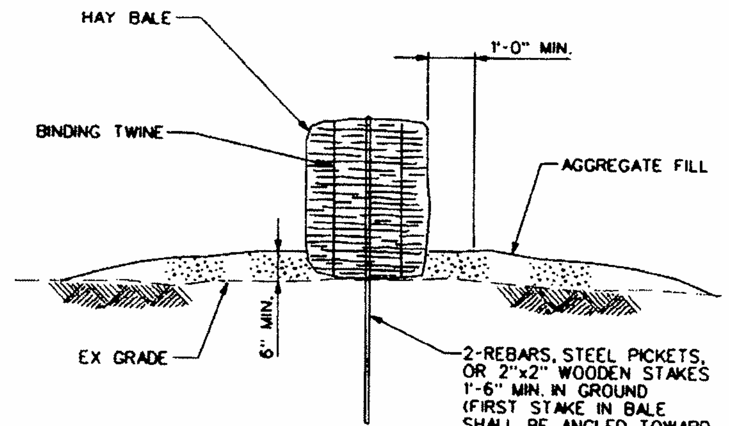


SILT FENCE NOTES:

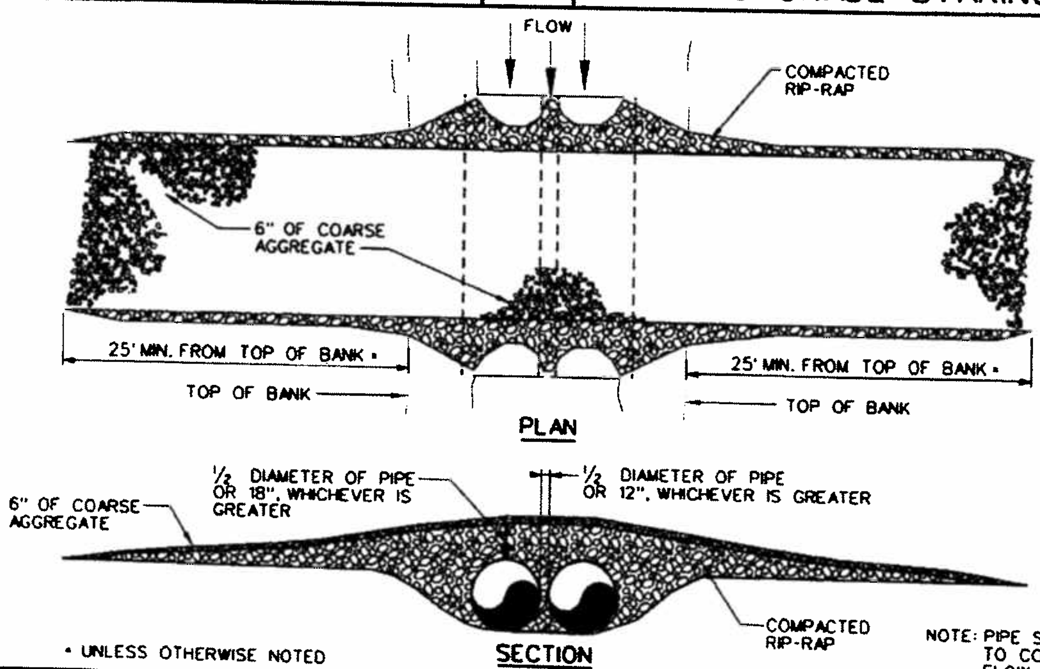
1. SILT FENCE TO BE INSTALLED ALONG CLEARING LIMITS SHOWN ON DRAWINGS.
2. FABRIC SHALL BE SELECTED FROM ALDOT LIST II-3, GEOTEXTILES FOR USE AS SILT FENCE.
3. POSTS MAY BE:
   A. HARDWOOD - 1.5"x1.5" MIN
   B. SOFTWOOD - 3" DIAMETER MIN ROUND OR NOM 2"x4" STRAIGHT ENOUGH TO PREVENT FENCE MISALIGNMENT
   C. STEEL - ROUND, UT OR C SHAPE WITH A MIN WEIGHT OF 1.3 LBS PER FOOT

SF

04 EXISTING GRADE STAKING — NO SCALE



01 TEMPORARY CONSTRUCTION ACCESS STREAM CROSSING — NO SCALE



* UNLESS OTHERWISE NOTED

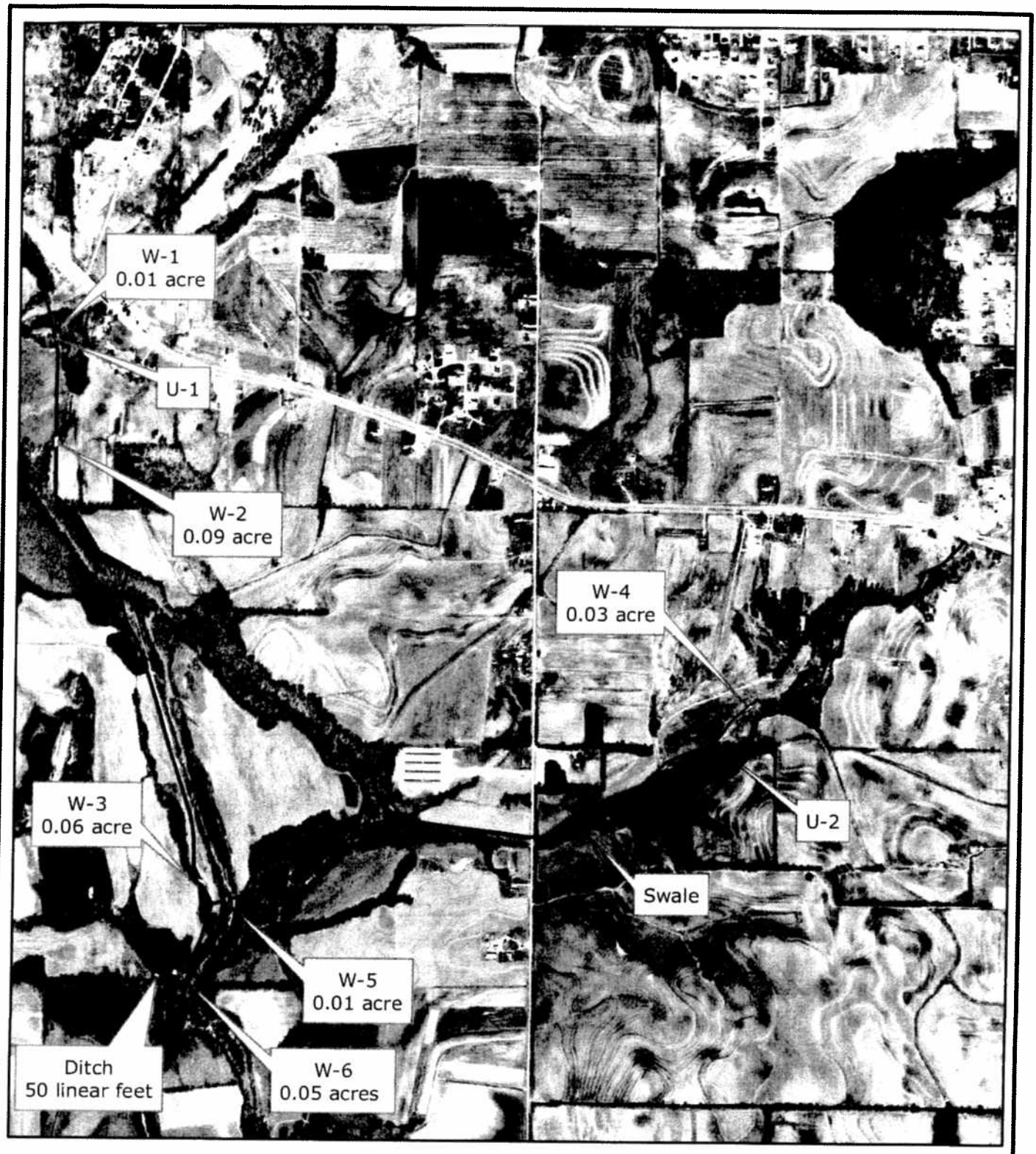
NOTE: PIPE SHALL BE LARGE ENOUGH TO CONVEY THE FULL BANK FLOW OF THE STREAM.

CITY OF ATHENS UTILITIES
FRENCH MILL AND PINEY CREEK INTERCEPTOR
ATHENS, AL

ARCHITECTURE KREBS ENGINEERING

SHEET TITLE	DETAILS
SHEET NO.	DT2
PROJECT NO.	07034
SCALE	AS NOTED
DATE	06-11-08

FILE NOS 2007-01488 AND 2007-02202 PN 08-25



0 0.5 1 Miles

WETLANDS

±

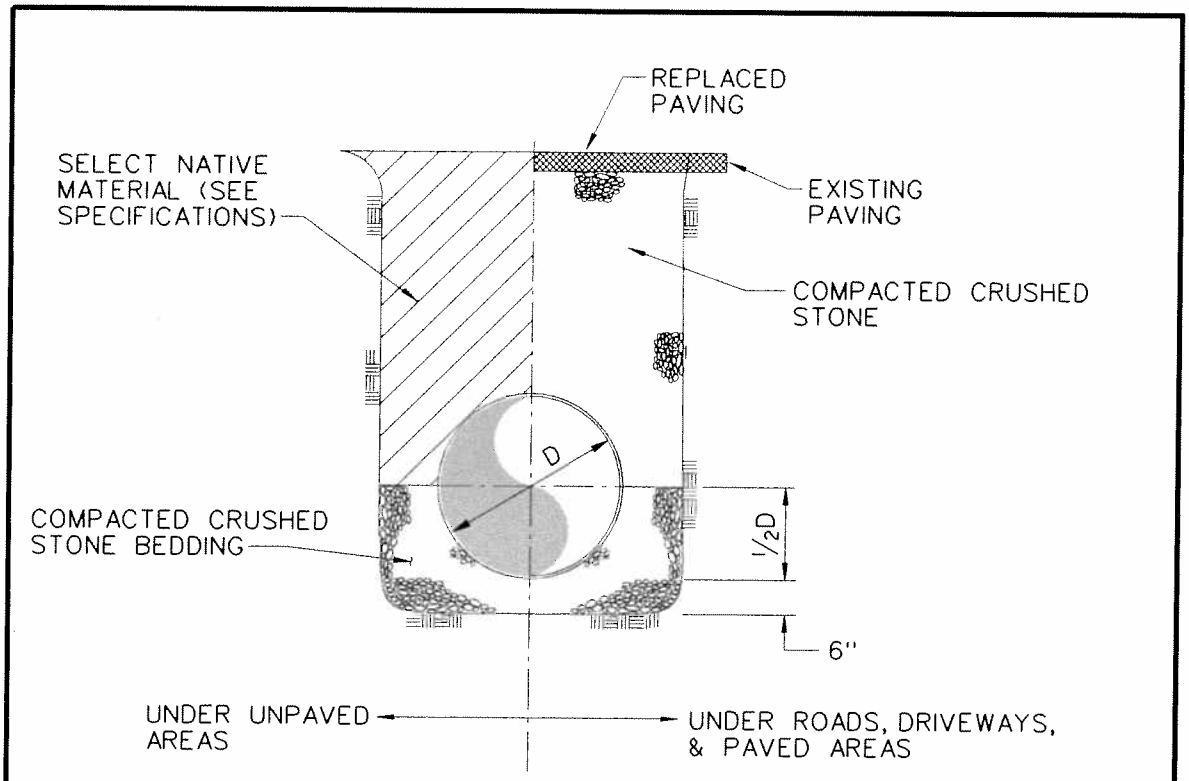
SCALE = 1 : 18,000

SOURCE: USGS DRG 1:24,000
Athens [AL]

WETLANDS LOCATION MAP 1 of 4
JS08- 112
Athens Sewer
Limestone County, Alabama

AST Environmental Group

FILE NOS. 2007-01488 AND 2007-02202 PN 08-25



TRENCH EXCAVATED IN SOIL

NO SCALE

04	D.I. PIPE BEDDING & BACKFILL

TYPICAL WETLAND CROSSING

SHEET TITLE	SEWER CROSS SECTION COE PERMIT	
SHEET NO. D1	PROJECT NO. 07034.01	
	SCALE NO SCALE	
	DATE 07-22-08	

CITY OF ATHENS UTILITIES
WATER/WASTEWATER DEPT.
PINEY CREEK /FRENCH MILL
TRUNK SEWER
ATHENS, ALABAMA

ARCHITECTURE KREBS ENGINEERING

FILE NOS. 2007-01488 AND 2007-02202 PN08-25